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Via ECF

November 30, 2020

Honorable Paul G. Gardephe
Courtroom 705
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Michelo, et al. v. National Collegiate Student Loan Trust 2007-2, et al.*
Case No.: 1:18-cv-01781-PGG
Bifulco, et al. v. National Collegiate Student Loan Trust 2006-4, et al.
Case No.: 1:18-cv-07692-PGG

Dear Judge Gardephe:

We represent Transworld Systems Inc. (“TSI”) in the above-referenced consolidated action.

On November 6, 2020 TSI filed Objections to Judge Moses’ October 23, 2020 Order. Dkt. 243.
On November 20, 2020, Plaintiffs filed a response. Dkt. 244.

Plaintiffs appear to take the position that TSI is not entitled to a reply brief and cite to Fed. R. Civ. P. 72(b)(2) for that proposition, which contemplates dispositive orders. Given that the Objections were to a nondispositive order under Fed. R. Civ. P. 72(a), TSI is entitled to a reply brief, and has prepared its brief. *Rivera v. Hudson Valley Hosp. Grp., Inc.*, No. 17-CV-5636 (KMK), 2019 WL 3955539, at *2 (S.D.N.Y. Aug. 22, 2019) (reply brief on nondispositive objections under Federal Rule 72(a)); *Creighton v. City of New York*, No. 12 CIV. 7454 (PGG), 2015 WL 8492754, at *8 (S.D.N.Y. Dec. 9, 2015) (same). Plaintiffs disagree with TSI as detailed in their brief. Dkt. 244.

Given the intervening federal holiday on November 27th, TSI believes its reply brief is currently due November 30th pursuant to Local Civil Rule 6.1(b).

The dispute at issue in the Objections involves Plaintiffs discovery request for documents that TSI produced pursuant to administrative proceedings with the Consumer Financial Protection Bureau and TSI’s attempts to limit the request.

TSI would like to make one more attempt to resolve the discovery dispute without further judicial intervention, and, to that end, intends to share the Civil Investigative Demands sent to TSI by the CFPB to attempt to narrow the documents sought by Plaintiffs here and to attempt to come to an agreement between the parties on the scope of production.

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To that end, TSI requests a two-week extension to file its reply brief to December 14th. If the parties are unable to come to an agreement by that date on the scope of production, then TSI will file its reply brief and seek further assistance from your Honor.

TSI files this letter request in good faith, not for the purposes of delay, and solely to attempt to resolve Plaintiffs request without further judicial involvement.

As such, TSI requests a two-week extension to December 14th to file its reply brief.

Thank you for your consideration.

Respectfully submitted,

/s/ James K. Schultz
Counsel for Transworld Systems Inc.

cc: All counsel of record (via ECF)